



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105

DEC 12 2011

CERTIFIED MAIL NO. 7011-0110-0001-9065-6354
RETURN RECEIPT REQUESTED

Notice of Violation Pursuant to 3007(a) of the Resource Conservation and Recovery Act

Mr. Lucio DeAnda
President
Pyramid Circuits, Inc.
1405 Richard Ave.
Santa Clara, CA 95050

Dear Mr. DeAnda:

On April, 7, 2011, representatives of EPA, Region IX, accompanied by representatives of the Santa Clara City Fire Department, conducted a Compliance Evaluation Inspection of the PCI's Santa Clara, California facility located at 1405 Richard Ave, EPA Identification Number CAD982472151. The inspection was conducted under the authority of Section 3007(a) of the RCRA, as amended, 42 U.S.C. § 6927(a). EPA's investigation identified areas of noncompliance with RCRA regulations and potential violations of the State of California authorized program under the RCRA Hazardous Waste Management requirements. This letter serves as a notice of the violations discovered at the PCI facility on April 7, 2011.

Notice of Violation

A copy of the inspection report is enclosed for your information and response ("Enclosure"). The report describes conditions at the facilities during the time of inspection and identifies areas of noncompliance with RCRA regulations and potential violations of the State of California authorized program under RCRA Subtitle C and potential non-RCRA state violations. Any omissions in the report shall not be construed as a determination of compliance with any other applicable regulation.

Pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928, you are required to correct all remaining areas of noncompliance identified below and to submit documentation of their correction to EPA within **thirty (30) calendar days** of your receipt of this letter. Documentation of your return to compliance may consist of, among other items, photographs, manifests, and revised records. Where compliance cannot be achieved within thirty (30) calendar days, you must provide the reasons for the delay, a description of each corrective action planned, and a

schedule on which each corrective action will be taken.

Potential Violations of California Title 22 CCR and RCRA 40 CFR Hazardous Waste Regulations:

1. Failure to Label a Satellite Accumulation Area Container Holding Hazardous Waste 22 CCR §§ 66262.34(e)(1)(C), (E) & (f)(3) [40 CFR § 262.34(c)(1)];
2. Exceeding the Accumulation Amount at a Satellite Accumulation Area 22 CCR § 66262.34 (e)(1) [40 CFR § 262.34];
3. Failure to Post Required Emergency Response Information 22 CCR § 66265.32 [40 CFR § 265.32 as referenced by 40 CFR § 262.34(d)(5)]
4. Failure to Provide Information on Accumulation Time of Universal Waste 22 CCR § 66273.35 (a) and (b) [40 CFR § 273.15 (a) and (c)]; and
5. Failure to Properly Containerize Universal Waste 22 CCR § 66273.33 [40 CFR § 273.13 (d)];
6. Failure to Properly Label Universal Waste 22 CCR § 66273.14(c) [40 CFR § 273.13 (e)]; and

Potential Violations of California Title 22 CCR:

7. Failure to Properly Manage Used Oil Containers. 22 CCR §§ 66279.21(a), 66262.34(a)(2), 66262.34(a)(3), 66262.34(f)(1), 66262.34(f)(2), and 66262.34(f)(3) [40 CFR §§ 262.34(a)(2) and 262.34(c)(1)(ii)] and 22 CCR §§ 66279.21(a), 66262.34(a)(1)(A), and 66265.173(a) [40 CFR §§ 262.34(a)(2), 262.34(a)(1)(i), and 265.173(a)].

Confidential Business Information

EPA regulations governing confidentiality of business information are set forth in 40 CFR Part 2, Subpart B. EPA routinely provides copies of investigation reports to state agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations (40 CFR Part 2). If you believe the April 7, 2011, PCI Inspection Report contains privileged or confidential information; you may make a claim within fourteen (14) calendar days from your receipt of this letter. Additionally, if you believe that any portion of your response to this Notice of Violation, Notice of Intent to File, and Request for Information is entitled to confidential treatment, please identify any such information in your response and assert a confidentiality claim in accordance with 40 CFR § 2.203(b). If the EPA determines that the information over which you assert a claim meets the criteria set forth in 40 CFR § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 CFR Part 2, Subpart B. EPA will construe the failure to furnish a confidentiality claim within fourteen (14) calendar days from the date of your receipt of this letter as a waiver of that claim and information may be made available to the public by the EPA without further notice. See, 40 CFR § 2.203(a)(2).

By copy of this letter, EPA is providing the State of California with notice of the referenced violations of Subtitle C of RCRA and the California hazardous waste management program.

Thank you for your prompt attention to this matter. If you have any questions, please contact Estrella Armijo of my staff at (415) 972-3859 or via email at armijo.estrella@epa.gov.

Sincerely,



Amy C. Miller, Manager
RCRA Enforcement Office

Enclosure

cc (w/o enclosure): Sue Laney
California Department of Toxic Substances Control
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